

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.7457 of 2018**

1. Gajendra Sahu S/o Lt. Shri Gopal Sahu, Aged about 30 yrs,
2. Smt. Baidin Bai Sahu, W/o Lt. Shri Gopal Sahu, Aged about 70 yrs,
Both R/o Behind Mahatma Gandhi School, Krishna Nagar, Raipur,
District Raipur (CG)
3. Manish Sahu S/o Lt. Shri Gopal Sahu, Aged about 32 yrs, R/o Near
Bramdev Mandir, Jorapara, Raipur, Distt.Raipur (CG)

---Applicants**Versus**

State of Chhattisgarh, P.S. Gudhiyari, Distt.Raipur (CG)

---Non-Applicant

For Applicants	:	Mr.Maneesh Sharma, Advocate
For Non-Applicant	:	Mr.Adi Raj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

02/11/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.299/2018, registered at Police Station-Gudhiyari, District-Raipur (CG), for the offence punishable under Section 306/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicants alleged and taunted Smt.Renu Sahu, wife of applicant No.1 to have illicit relation with one Bhupendra Sahu and thereby abetted, by which she committed suicide.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that deceased Renu Sahu has executed one affidavit on 12.8.2018, which was seized by the police, in which

she has stated not to have illicit relationship with anyone in future, which goes to show that she had illicit relationship with a man other than applicant No.1 (her husband) and thereby no offence under Section 306 of the IPC is made out, the applicants are in jail since 15.9.2018, substantial investigation has been completed and no useful purpose will be served by detaining them in jail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that affidavit has been seized from one Pushpa Sahu, elder sister of the deceased.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, contents of the affidavit, pre-trial detention of the applicants and the fact that substantial investigation has been completed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy today

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-